

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24954 OF 2005

DATED:29.11.2005

Between:

D. Sathyanarayana

...Petitioner

And

The District Collector,

Khammam District

and others

...Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24954 OF 2005

ORDER:

The petitioner is a resident of Gannerukoyapadu Village, Bhadrachalam Mandal, Khammam District. He filed the present Writ Petition seeking a Writ of Mandamus declaring the action of the first respondent in trying to demolish the compound wall of the petitioner as illegal and arbitrary.

It is the case of the petitioner that three decades ago he donated a part of the land in S.No.62/1 and 62/2, admeasuring Acs.1.82 in the village, to Gram Panchayat adjacent to a road which is situated on the eastern and northern side of the land of the petitioner. He modified the land into a rectangular shape and in the process encroached upon 20' of land donated to Gram Panchayat. He alleges that the Gram

Panchayat was adequately compensated for the sale. However, first respondent is taking steps to demolish the compound wall constructed by the petitioner on the northern side of the wall without due process of law and therefore present Writ Petition is filed.

Heard the learned counsel for the petitioner and the learned Standing Counsel for Gannerukoyapadu Gram Panchayat.

It is submitted by the learned Standing Counsel that the petitioner encroached upon road portion and constructed compound wall and therefore the compound wall was already demolished on 24.10.2005. In that view of the matter, the allegation that the Gram Panchayat is taking action to demolish the compound wall is not correct. If the petitioner is aggrieved by the action of the Gram Panchayat, it is open to him to prefer an appeal to the District Panchayat Officer within a period of two weeks from the date of receipt of a copy of this order.

The Writ Petition with the above observations and directions is accordingly dismissed.

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29.11.2005 (V.V.S.RAO, J)

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